

Claim 29 is a dependent claim covering the preferred embodiment of the bending and tempering apparatus of claim 28 wherein the lower and upper platens include the elongated quench tubes.

Applicant traverses the Examiner's disapproval of Applicant's proposed drawing changes filed on April 21, 1997, as well as the Examiner's withdrawal of the previous approval of the drawing corrections proposed on November 24, 1995. The MPEP provides that changes to the drawing in reissue cases are "restricted". The changes proposed by Applicants, inclusion of reference numerals, do not substantively change any of the figures of the issued patent, and are therefore the kind of minimal changes which must be allowable in reissued cases. Reconsideration and approval of these drawing changes is therefore requested.

Also, regarding the Examiner's objection to the specification in the Examiner's August 4, 1997 Office Action, it is noted that the Amendment suggested by the Examiner was made by Applicant's in the May 15, 1995 Preliminary Amendment to parent Application Serial No. 08/655,853.

Claims 1-16 are believed to be patentable over the prior art, and are believed to satisfy the requisites of § 112. In particular, Applicant's traverse Examiner's Rejection of claims 1 and 6, under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a), respectively, as being unpatentable over Bocelli '425 for the reasons in Applicant's April 16, 1997 Amendment filed in Reissue Application Serial No. 08/655,853 (the parent case to this Reissue Application), as well as for the reasons given in Applicant's previous amendments filed in the parent reissue cases to this application. In summary, Bocelli discloses an apparatus for bending and tempering glass sheets which includes a series of horizontal rolls which can be adjusted from a single plane of conveyance to conform to a template of desired curvature to bend the glass sheets about a radius of curvature that is transverse

to the direction of conveyance. Bocelli does not disclose or suggest any movement of the rolls to a different shape while glass is being processed therebetween.

Claims 1-16 are believed to satisfy the requisites of 35 U.S.C. § 112. In particular, claims 3 and 5 have been amended to clarify and provide consistency in language with claim 2. Notwithstanding these clarifying amendments, it is believed that claims 3 and 5, as well as claims 6, 8, 9, 11, 15, and 16 clearly and distinctly describe Applicants invention as required by 35 U.S.C. § 112. Claim 6 specifies that the opposed bending platens are mounted "at upper and lower locations with respect to each other". Subsequent reference to one of the platens as being an upper platen and another of the opposed platens as being a lower platen is certainly clear to one of ordinary skill in the art. Applicants similarly traverse the Examiner's prior rejection of claims 7, 11, 15 and 16 for the reason that "the bending and quenching" lacks antecedent basis. First, there is support in the specification for the use of "quenching". (See column 3, lines 24-27; column 3, lines 32-35; column 3, lines 48-50; and column 3, lines 59-62). Use of "quenching" is certainly clear to one of ordinary skill in the art, particularly in light of the use of this term in the specification.

Thus, for the above-stated reasons, as well as for the reasons in Applicant's prior amendments, reissuance of claims 1-16 is respectfully requested.

Claim 27 was rejected in the parent application as being based upon a defective reissue declaration under 35 U.S.C. § 251. Recent amendments to the regulations promulgated under 35 U.S.C. § 251 have clarified that specific reference to each and every "error" in the original patent, and particular specification of what the defects are and how they arose is not necessary. Applicant's traverse this rejection insofar as it relates any of the claims, since it is believed that any of the

six declarations filed in the parent reissue applications satisfy the requisites of 35 U.S.C. § 251.

Applicants also traverse the Examiner's rejection insofar as it is based upon the contention that claim 27 is directed to an invention different from that of the patent. As previously explained (in Applicant's prior amendments filed in connection with parent reissue Application Serial No. 08/655,853; 08/332,423; 08/002,090; and 07/775,418, particularly the Amendment filed on April 12, 1994 in connection with reissue application Serial No. 08/002,090), Applicant's disclosure and illustration of the preferred embodiment of the present bending and tempering system wherein the improved quench is located in that portion of the template where the glass sheet is bent, should not be interpreted as limiting Applicant's invention where the object of close proximity quenching, as well as the resultant quench apparatus, are clearly and specifically set forth in the specification. For these reasons, reconsideration and allowance of claim 27 is respectfully requested.

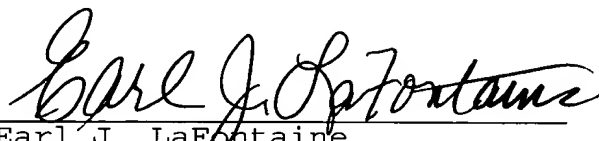
New claims 28 and 29 are also believed to be in condition for allowance, since they clearly and distinctly describe Applicant's bending and quenching apparatus in a way that this distinguishable from the prior art. Again, for the reasons cited above, consideration and allowance of new claims 28 and 29 is requested.

The Examiner is urged to contact the undersigned attorney by telephone to discuss any matters pertaining to this reissue application if he believes it will be useful in expediting this application.

Respectfully submitted,

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BROOKS & KUSHMAN P.C.

A handwritten signature in cursive script, reading "Earl J. LaFontaine". The signature is written in dark ink and is positioned above a horizontal line.

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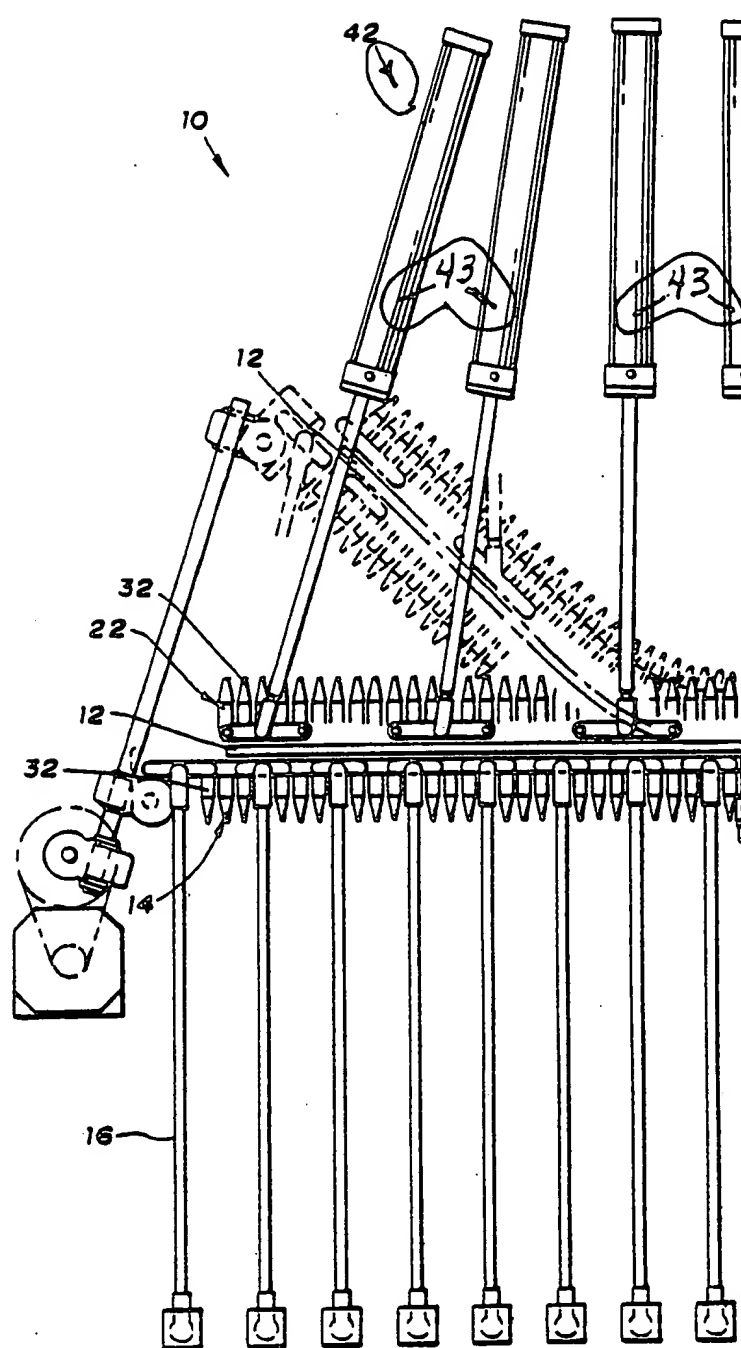
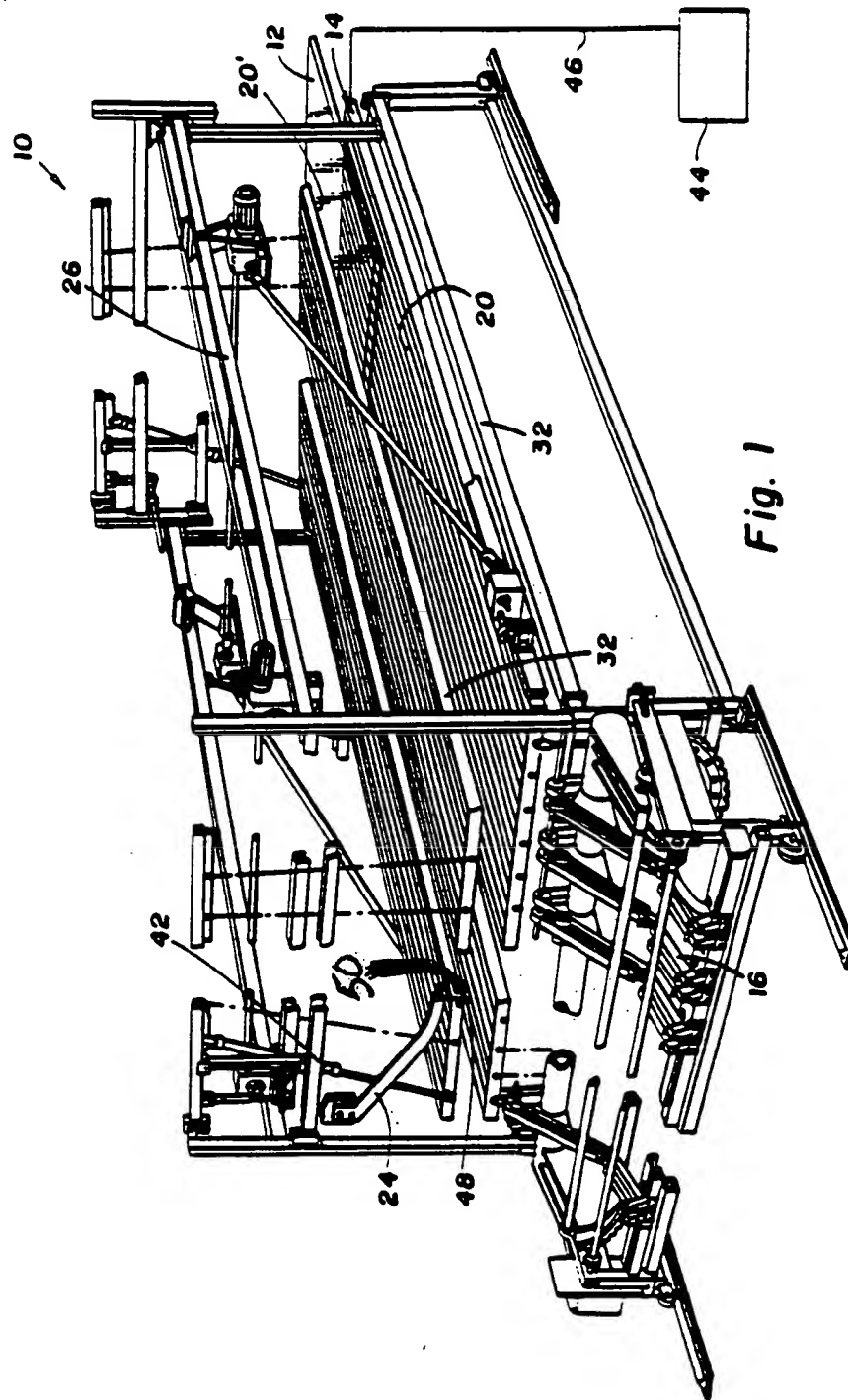


Fig. 4



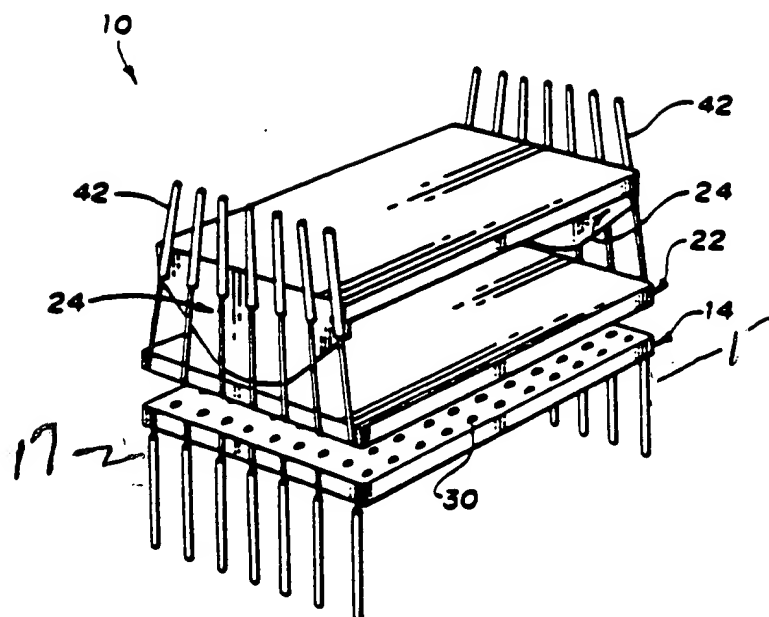


Fig. 5

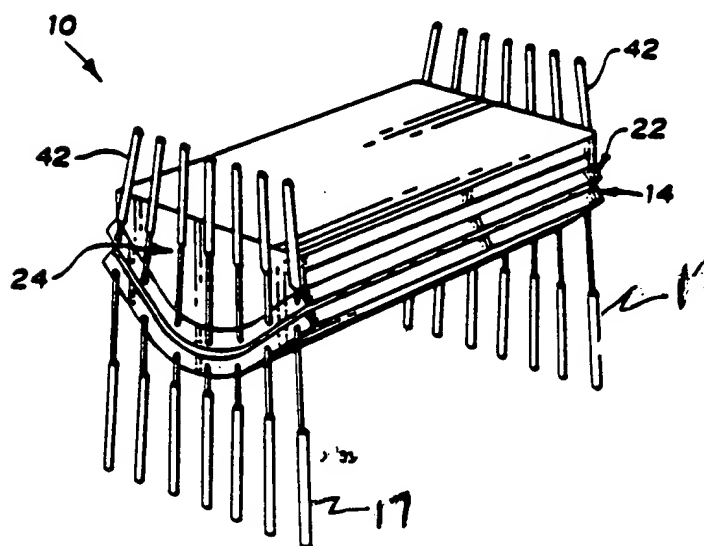


Fig. 6

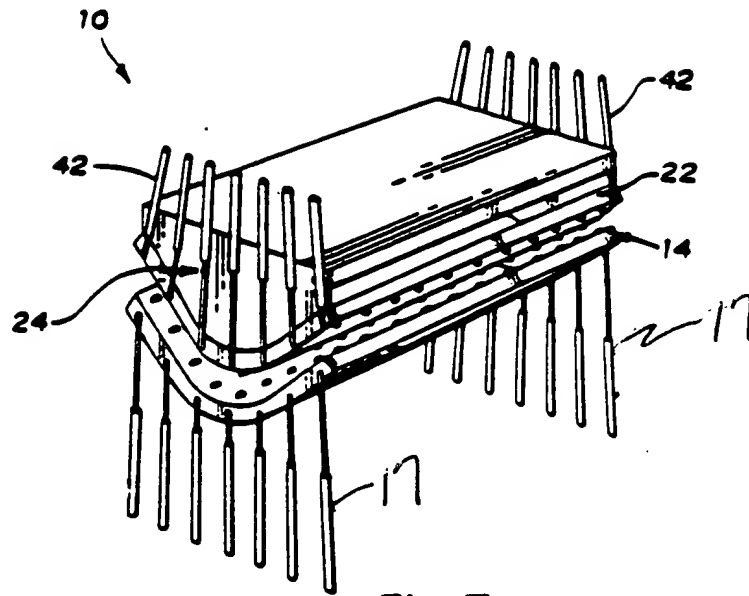


Fig. 7

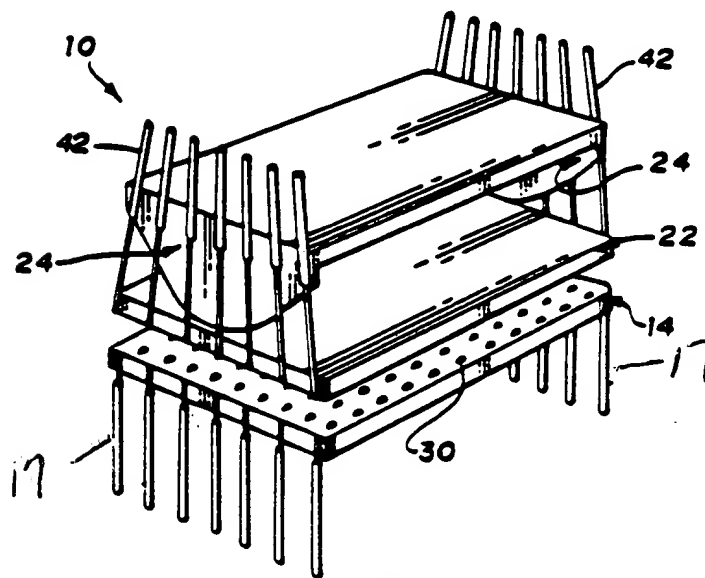


Fig. 8